

Remarks

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 3-6, 8-11, 13-16, 18-23, and 25-30 are currently pending in the application. Claims 32-36 are cancelled without prejudice by this amendment.

In the outstanding Office Action, Claim 32 was rejected under 35 U.S.C. 102(e) as unpatentable over Aoki et al. (U.S. Patent No. 6, 366,384, herein "Aoki"); Claim 33 was rejected under 35 U.S.C. 103(a) as obvious over Aoki and Hamada et al. (U.S. Patent No. 6,246,463, herein "Hamada"); Claim 34 was rejected under 35 U.S.C. 103(a) as obvious over Aoki and Nakayama (JP 5-6077); and Claims 1, 3-6, 8-11, 13-16, 18-23, and 25-30 were allowed.

Applicants thank the Examiner for the indication of allowable subject matter. In view of this indication, rejected Claims 32-34 have been cancelled. In addition, Claims 35 and 36, not considered by the outstanding Office Action, have also been cancelled. No new matter has been added.

Thus, because the present amendment reduces the number of issues for appeal and raises no new issues, entry of this amendment under 37 CFR § 1.116 is believed to be in order and it is therefore respectfully requested.

Accordingly, it is believed that pending Claims 1, 3-6, 8-11, 13-16, 18-23, and 25-30 are in condition for allowance and a Notice of Allowance for Claims 1, 3-6, 8-11, 13-16, 18-23, and 25-30 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Gregory J. Maier
Registration No. 25,599
Attorney of Record
Remus F. Fetea, Ph.D.
Limited Recognition No. L0037

GJM/SS/RFF/ys
I:\ATTY\RFF\20s\204398\204398US-AME-JAN10.DOC